

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA

In Re
Dean Cottage

Chapter 13
Bankruptcy # NO: 15-14418-MDC

*Order Denying Motion of JP Morgan Chase Bank
For Modification of Stay*

AND NOW, this _____ day of _____, 2017 upon consideration of the
Debtor's Answer and a Hearing,

IT IS HEREBY ORDERED

That The Motion of JP Morgan Chase Bank for Modification of Automatic
Stay Is Denied.

SO ORDERED

BY THE COURT

U.S. BANKRUPTCY JUDGE

Mr. Dean Cottage
301 Rutledge Court
N. Wales, PA 19454

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA

In Re
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Chapter 13
Bankruptcy # NO: 15-14418-MDC

**Debtor's Answer to the Motion of
JP Morgan Chase Bank for Relief from Automatic Stay**

Debtor, by his attorney, Allan K. Marshall, Esq., answers the Motion of JP Morgan Chase Bank (Bank):

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. The bank has failed to attach the servicing agreement, therefore, the bank is in violation fo Statute of Frauds which requires that real estate contracts be in writing.
6. This para sates a conclusion of law to which no response is required. ?debtor demands strict proof of all the factual averments of this para.
7. Denied. At most, debtor has missed a few payments due to the death of the debtor's brother. Debtor shall make a serious effort to bring payments up-to-date.
8. Denied. At most, debtor has missed a few payments due to the death of the

debtor's brother. Debtor shall make a serious effort to bring payments up-to-date.

9. This para states a conclusion of law to which no response is required. ?debtor demands strict proof of all the factual averments of this para.
10. This para states a conclusion of law to which no response is required. ?debtor demands strict proof of all the factual averments of this para.
11. This para states a conclusion of law to which no response is required. ?debtor demands strict proof of all the factual averments of this para.
12. WHEREFORE, Debtor demands a hearing.

FIRST DEFENSE
SUFFICIENT EQUITY

13. Debtor has sufficient equity to protect the interest of JP Morgan Chase Bank.

SECOND DEFENSE
Less Drastic Remedy

14. Even if the moving party is entitled to the Relief from the Stay, the Stay should not be terminated. The Court should rather grant less drastic Relief by conditioning or modifying the Stay.
15. WHEREFORE, the Debtor requests this Honorable Court to deny the Motion for Modification of the Stay and for such other Relief as the Court deems just and proper.

Respectfully Submitted,

_____/s/_____
Allan K. Marshall, Esq.
Attorney for Debtor

February 6, 2017